

## **REMARKS/ARGUMENTS**

This is in response to the Official Action mailed October 20, 2003 for the above-captioned application. Reconsideration of the application, as amended, is respectfully requested.

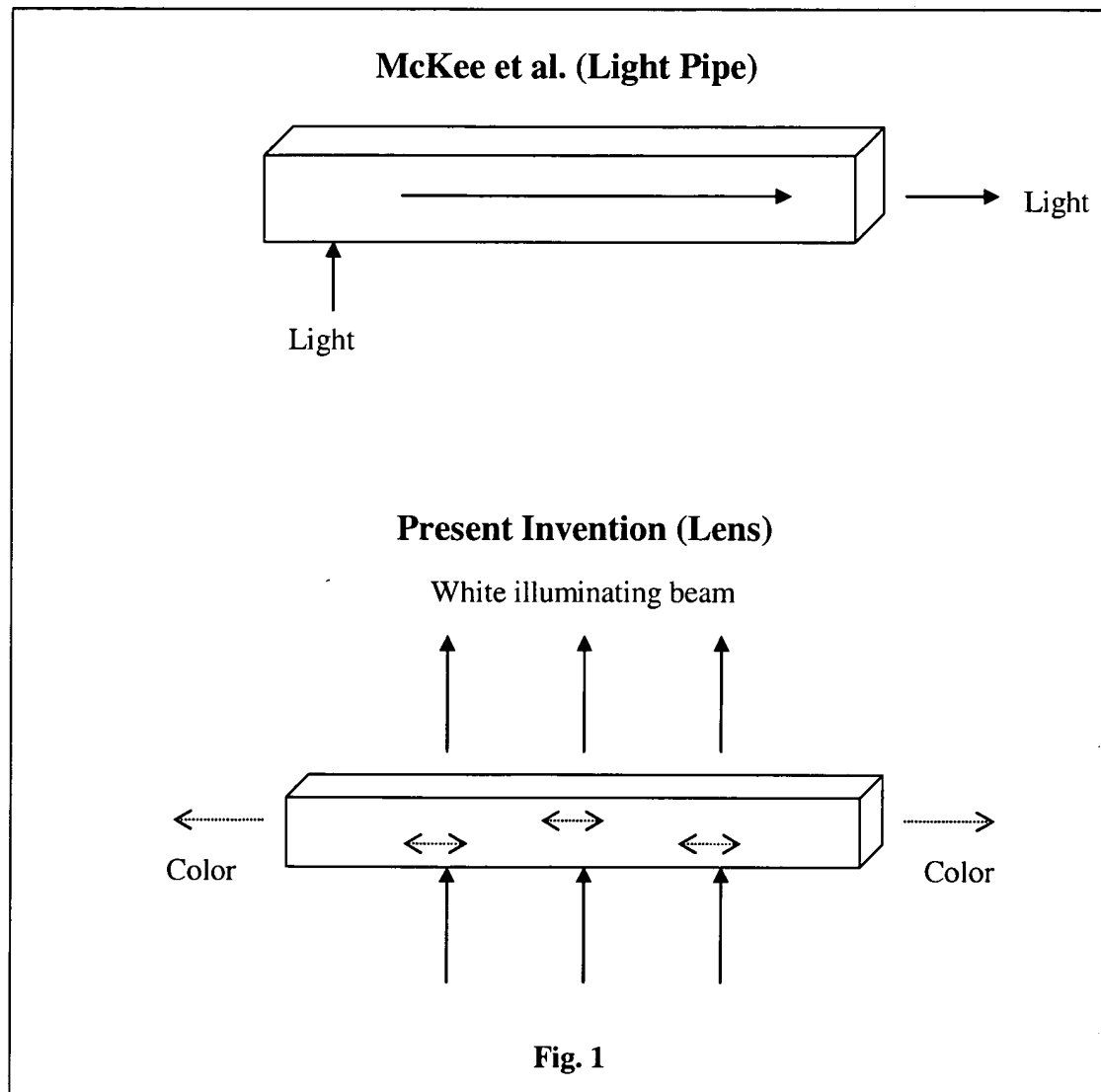
Claims 76 and 98 have been amended to correct clerical errors. Similarly claims 13, 84, and 96 to correct similar errors in which the Examiner objected to the claims.

The Examiner rejected claims 1-57 and 71 under 35 USC § 112, second paragraph. The claims have been reviewed and independent claims 1 and 43 have been amended to delete the term "SAE Standards" as well as distinguish the present invention from the prior art. Claim 71 has been canceled. These amendments are believed to overcome Examiner's rejection of the independent claims and dependant claims 2-42 and 44-57. Please note that claims 100 and 101 have been added in order to specify x chromaticity standards. These claims are supported in the specification at pages 6 and 7, paragraphs 13 through 15.

The Examiner rejected claims 9-10, 24-25, 41-42, 51-52, 61-65, 69, 75, 80-81, 88-89, and 94 under USC § 112, second paragraph. The claims have been reviewed and claims 9, 24, 41, 51, 56, 61, 69, 75, 80, 88, and 94 have been amended to delete the term "derivatives". This amendment is believed to overcome Examiner's rejection of these claims as well as dependant claims 10, 25, 42, 52, 62-65, 81, and 89.

The Examiner rejected claims 1-2, 11, 55, 58-59, and 71 under § 102 (b) as being anticipated by McKee et al., (US 4,716,501). Applicant has amended claims 1 and 58 to further distinguish the current invention from McKee. Aspects of the current invention are to provide a lens in general and to provide a lens for automotive headlamp assemblies wherein white light transmitted from the inner to the outer surface of the lens forms an illuminating beam and results in emission from the fluorescent dye which is conducted to a substantial extent to an edge surface of the lens. The fluorescent transmission may then escape an edge of the lens thereby creating a colored visual effect at the edge of the lens. (See Fig. 1) The photoluminescent material is selected along with other dye configurations so that the illuminating beam has certain characteristics that meet international standards for automotive headlamp output. This distinction is believed to overcome the anticipation rejection of McKee, wherein McKee provides no more than a light pipe that may be used as an indicator in certain types of assemblies.

Figure one illustrates the distinction of the present invention from McKee. McKee is nothing more than a light pipe wherein light introduced to a polycarbonate travels along the polycarbonate and may exit an edge thereof. McKee does not disclose or suggest that white light is to pass through the polycarbonate from one major surface to the other forming an illuminating beam, wherein white light that travels through the polycarbonate excites photoluminescent material that emit light that travels along the polycarbonate and that provides a colored visual effect at an edge of the lens.

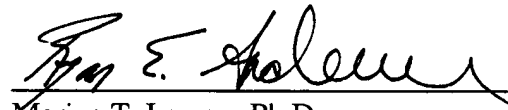


In addition to the anticipation rejection the Examiner has rejected claims 3-10, 12-30, 60-70, and 72-76 under § 103 (a) as being obvious in view of McKee and Burns. The Examiner has further rejected claims 31-40, 43-57, and 77-95 under § 103 (a) as being obvious in view of McKee, Burns and Chase. It is believed that these rejections have been overcome with the aforementioned amendments. The primary reference of McKee makes no suggestion of the incorporation of a photoluminescent material within a lens or within a lens or bezel for automotive headlamp assemblies. Chase makes no suggestion of incorporating a fluorescent material within the bezel composition. Moreover, Chase makes no suggestion that its bezel emit light. Thus Chase does not provide an appropriate basis for an obviousness rejection. Since McKee, Burns and Chase are not an appropriate references, these objections are believed to be overcome.

In view of the foregoing argument, Applicants submit that the claims are not obvious over the cited combination of references. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Applicant also requests that the references listed on Substitute Form PTO-1449, which is enclosed, be made of record in the Patent Office file relating to the above captioned application. Copies of the references are provided herewith. Also, enclosed is the International Search Report dated 01/10/2003. The Commissioner is authorized to charge the fee for filing this IDS and any other fee deemed do to Deposit Account 07-0862.

Respectfully Submitted,

  
Marina T. Larson, Ph.D  
Reg. No. 32038

Ryan E. Anderson  
Reg. No. 51,405

Attorneys for Applicant(s)  
(970) 468 6600